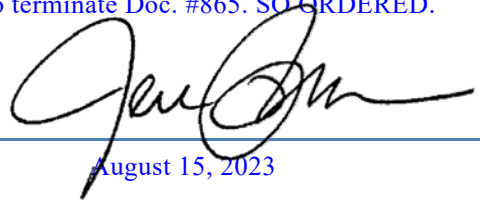


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Application GRANTED. The conference is hereby ADJOURNED to October 24, 2023, at 2:30 p.m. The parties shall file a letter a week prior to the conference if Main Justice has rendered a decision. Time is excluded in the interests of justice from today, August 15, 2023, until October 24, 2023, for the reasons stated within. The Clerk of Court is directed to terminate Doc. #865. SO ORDERED.



August 15, 2023

**FILED VIA ECF**

Hon. Jesse M. Furman  
United States District Judge  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

August 14, 2023

United States v. Orlando CARMONA-SERRANO  
(S10) 16 Cr. 387 (JMF)

Dear Judge Furman:

As the Court will recall, this matter is currently scheduled for a status conference on August 23, 2023. For the reasons that follow, the defense is seeking an adjournment of that conference to a date convenient for the Court. The government consents.

The government has now indicated a potential willingness to resolve the case on terms that are more favorable to Mr. Carmona than the prior plea agreement. The government's deadline for Mr. Carmona to plead guilty pursuant to that proposed framework, however, is the next conference. Because Mr. Carmona's recent indictment in the District of Puerto Rico charges offenses that carry the death penalty, he cannot enter a plea here pursuant to an agreement until he receives the decision from Main Justice not to seek the death penalty. Based upon my conversations with counsel for my client in that matter, it is my understanding that this could well be resolved by the late fall. Upon receiving such a decision, it is my client's intention to enter a plea promptly here pursuant to a revised agreement that accords with the terms the parties have discussed and agreed to in principle.

Accordingly, if the Court is amenable, the parties suggest adjourning the August 23 conference to a date that will allow the process regarding the decision of whether or not the death penalty will be sought to take its course, so that Mr. Carmona can then take advantage of the improved terms that the parties have been discussing at that time.

We would have no objection to the exclusion of time under the Speedy Trial Clock under those circumstances.

Respectfully submitted,

/s/  
HOWARD LEADER